

(1) Any Category A, B, C, or D NLS cargo retained on the ship because it fails to meet consignee specifications;

(2) Any part of a Category A, B, C, or D NLS cargo remaining on the ship after NLS is discharged to the consignee, including but not limited to puddles on the tank bottom and in sumps, clingage in the tanks, and substance remaining in the pipes; or

(3) Any material contaminated with a Category A, B, C, or D NLS cargo, including but not limited to bilge slops, ballast, hose drip pan contents, and tank wash water.

Restricted gauging system means a method of gauging the amount of cargo in a tank through an opening of limited size that restricts or prevents the release of cargo vapors from the tank vapor space.

Safety relief (SR) valve means a normally closed valve that opens under a preset positive pressure.

Separate and *separated*, as applied to a cargo piping, venting, heating or cooling system, means either an independent system or one that may be disconnected from all other systems by:

(a) Removing spool pieces or valves and blanking the open pipe ends; or

(b) Blocking each system interconnection with two blind flanges in series and providing a means of detecting leakage into the pipe section between the flanges.

Service spaces means spaces outside the cargo area used for galleys, pantries containing cooking appliances, lockers, store rooms, workshops other than those forming part of machinery spaces, and trunks to such spaces.

Ship means a vessel of any type whatsoever, including hydrofoils, air-cushion vehicles, submersibles, floating craft whether self-propelled or not, and fixed or floating platforms.

Slop tanks include slop tanks and cargo tanks used as slop tanks.

Solidifying NLS means a Category A, B, or C NLS that has a melting point—

(1) Greater than 0 °C but less than 15 °C and a temperature, measured under the procedure in §153.908(d), that is less than 5 °C above its melting point at the time it is unloaded; or

(2) 15 °C or greater and has a temperature, measured under the procedure in §153.908(d), that is less than 10

°C above its melting point at the time it is unloaded.

Solution means a water solution.

Special area means the Baltic Sea Area as defined in 33 CFR 151.13(a)(2) and the Black Sea Area as defined in 33 CFR 151.13(a)(3).

SR venting system means a venting system in which an SR valve controls vapor flow from the cargo tank.

Tankship has the same meaning as “ship”.

Venting system means a permanent piping arrangement leading from a cargo tank and used to control the flow of vapor to and from the tank.

[CGD 73-96, 42 FR 49027, Sept. 26, 1977, as amended by CGD 78-128, 47 FR 21204, May 17, 1982; CGD 81-052, 50 FR 8732, Mar. 5, 1985; CGD 81-078, 50 FR 21170, May 22, 1985; CGD 81-101, 52 FR 7778, Mar. 12, 1987; CGD 81-101, 53 FR 28974, Aug. 1, 1988; CGD 88-070, 53 FR 34535, Sept. 7, 1988; CGD 81-101, 54 FR 12629, Mar. 28, 1989; CGD 96-041, 61 FR 50732, Sept. 27, 1996; CGD 95-028, 62 FR 51209, Sept. 30, 1997; USCG-1998-4442, 63 FR 52191, Sept. 30, 1998]

§ 153.3 Right of appeal.

Any person directly affected by a decision or action taken under this part, by or on behalf of the Coast Guard, may appeal therefrom in accordance with subpart 1.03 of this chapter.

[CGD 88-033, 54 FR 50381, Dec. 6, 1989]

§ 153.4 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a). To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish notice of change in the FEDERAL REGISTER and make the material available to the public. All approved material is on file at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC, and at the U.S. Coast Guard, Office of Operating and Environmental Standards (G-MSO), 2100 Second Street SW., Washington, DC 20593-0001 and is available from the sources indicated in paragraph (b) of this section.

(b) The material approved for incorporation by reference in this part and the sections affected are:

<i>American National Standards Institute (ANSI)</i>	
11 West 42nd Street, New York, NY 10036	
ANSI B16.5, Pipe Flanges and Flanged Fittings, 1988	153.940
ANSI B16.24, Bronze Pipe Flanges and Flanged Fittings, 1979	153.940
ANSI B16.31, Non-Ferrous Flanges, 1971	153.940
<i>American Society for Testing and Materials (ASTM)</i>	
100 Barr Harbor Drive, West Conshohocken, PA 19428-2959	
ASTM F-1122, Standard Specification for Quick Disconnect Couplings, 1987	153.940
ASTM F-1271, Standard Specification for Spill Valves for use in Marine Tank Liquid Overpressure Protection Applications, 1989	153.365
[CGD 88-032, 56 FR 35826, July 29, 1991, as amended by CGD 96-041, 61 FR 50732, Sept. 27, 1996; CGD 97-057, 62 FR 51048, Sept. 30, 1997]	

§ 153.7 Ships built before December 27, 1977 and non-self-propelled ships built before July 1, 1983: Application.

(a) *Definitions.*

(1) *Permit* means a Certificate of Inspection, Letter of Compliance, or Certificate of Compliance.

(2) *Existing tankship* means a tankship for which a contract was let on or before December 27, 1977.

(3) *Letter of Compliance* in this section means a letter issued by the Coast Guard before 27 December 1977 which permitted a foreign flag tankship to carry a bulk cargo regulated under this part.

(b) *Endorsements for existing tankships.*

(1) The Coast Guard endorses the permit of an existing tankship to carry a cargo listed in Table 1 if:

(i) The tankship held a permit on December 27, 1977, endorsed for the cargo in question;

(ii) The tankship meets the construction standards under which the Coast Guard issued the permit; and

(iii) The tankship meets the standards in paragraph (c) of this section.

(2) The Coast Guard endorses the permit of an existing tankship to carry a cargo listed in Table 1 if:

(i) The tankship held a permit on December 27, 1977;

(ii) The Coast Guard did not require the permit to be endorsed with the

name of the cargo at any time before December 27, 1977;

(iii) The tankship meets the construction standards under which the Coast Guard issued the permit;

(iv) The tankship carried the cargo in question; and

(v) The tankship meets the standards in paragraph (c) of this section.

(3) The Coast Guard endorses the permit of an existing tankship to carry a cargo listed in Table 1 if:

(i) The tankship held a permit on December 27, 1977 endorsed to carry class B or C poisons under 46 CFR part 39;

(ii) The cargo in question is a class B or C poison;

(iii) The tankship meets the construction standards in 46 CFR part 39; and

(iv) The tankship meets the standards in paragraph (c) of this section.

(4) The Commandant (G-MSO) considers on a case by case basis endorsing the permit of an existing tankship to carry a cargo listed in Table 1 if:

(i) The tankship does not come within the categories described in paragraphs (b) (1) through (3) of this section;

(ii) The tankship meets paragraph (c) of this section; and

(iii) The tankship meets any additional requirements the Commandant (G-MSO) may prescribe.

(c) An existing tankship must meet all the requirements of this part except as provided in paragraphs (c) (3), (4), (5) and (6) of this section.

(1)-(2) [Reserved]

(3) The Commandant (G-MSO) considers on a case by case basis endorsing as a type II containment system one that fails to meet §§ 153.231(b), 153.234, 172.130 and 172.133 of this chapter if the tankship and containment system meet the following minimum conditions:

(i) The tankship has a loadline certificate.

(ii) The cargo tank is not part of the tankship's shell plating.

(iii) The distance between the bottom plating of the cargo tank and the bottom shell plating of the tankship is at least 76 cm measured parallel to the vertical axis of the tankship.

(4) The Commandant (G-MSO) considers on a case by case basis endorsing